

State of Hawaii

Department of Labor and Industrial Relations
HAWAII OCCUPATIONAL SAFETY AND HEALTH DIVISION
830 PUNCHBOWL STREET, ROOM 423
HONOLULU, HI 96813
Phone: (808) 586-9110 Fax: (808) 586-9104



Certified Mail Number: 7016 1370 0000 0881 7016

Citation and Notification of Penalty

To:
Aloha Stadium
and its successors
Attention: Scott Chan, Stadium Manager
P O Box 30666
Honolulu, HI 96822

Inspection Number: 1235352
Inspection Date(s): 05/16/2017-05/24/2017
Issuance Date: 07/05/2017

Inspection Site:
99-500 Salt Lake Blvd
Aiea, HI 96701

The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

This Citation and Notification of Penalty describes violations of the Hawaii Occupational Safety and Health (HIOSH) Law. The penalty listed herein is based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties, unless within 20 calendar days from your receipt of this Citation and Notification of Penalty, you file a contest in the manner described in the section "Employer's Right to Contest" on page 2 of this Citation and Notification of Penalty. Please refer to the enclosed booklet (Employer Rights and Responsibilities Following a HIOSH Inspection) which outlines your rights and responsibilities and which should be read in conjunction with this Citation. Issuance of this Citation does not constitute a finding that a violation of the Law has occurred unless there is a failure to contest as allowed by Law or, if contested, the Citation is affirmed by the Hawaii Labor Relations Board (HLRB) or a court.

Posting - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited herein has (have) been abated, or for 3 working days (excluding weekends and State holidays), whichever is longer.

Informal Conference - An informal conference is not required. However, if you wish to have such a conference you may request one with the HIOSH Administrator during the 20 calendar day contest period. During such an informal conference, you may present any evidence or views which you believe would support an adjustment to the citation(s) and/or penalty. If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must schedule it early enough to

allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Administrator within 20 calendar days of your receipt of this Citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete, remove and post the page 5, Notice to Employees, next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

Employers' Right to Contest - You have the right to contest this Citation and Notification of Penalty. You may also contest all citation items or only individual items. You may also contest the penalty and/or abatement dates without contesting the underlying violations. To contest you must submit a signed original letter of contest to the Administrator which must be postmarked or, if not mailed, received by the Administrator within 20 calendar days after you receive this Citation and Notification of Penalty. The letter of contest must be a signed original and may not be submitted by facsimile or e-mail. Address your letter of contest to the State of Hawaii Occupational Safety and Health Division at the address shown on the top of page 1 of this Citation and Notification of Penalty. Once a letter of contest is received, it becomes the jurisdiction of the HLRB. If a timely contest is not filed, the Citation and Notification of Penalty will become a final order of the Department of Labor and Industrial Relations and may not be reviewed by any court or agency.

Penalty Payment - Penalties are due within 20 calendar days of receipt of this notification unless contested. Make your check or money order payable to "Director of Budget and Finance." Please indicate the Inspection Number found on the front page on the remittance. HIOSH does not agree to any restrictions or conditions or endorsements put on any check or money order for less than the full amount due, and will cash the check or money order as if these restrictions, conditions, or endorsements do not exist.

Notification of Corrective Action - For each violation which you do not contest, you are required by Section 12-51-22 to submit an Abatement Certification to HIOSH. The certification must be sent by you within 5 calendar days of the abatement date indicated on the Citation. For Willful and Repeat violations, documents (examples: photos, copies of receipts, training records, etc.) demonstrating that abatement is complete must accompany the certification. Where the Citation is classified as Serious and the Citation states that abatement documentation is required, documents such as those described above are required to be submitted along with the abatement certificate. If the Citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item.

All abatement verification documents must contain the following information: 1) Your name and address; 2) the inspection number (found on the front page); 3) the citation and citation item number(s) to which the submission relates; 4) a statement that the information is accurate; 5) the signature of the employer or employer's authorized representative; 6) the date the hazard was corrected; 7) a brief statement of how the hazard was corrected; and 8) a statement that affected employees and their representatives have been informed of the abatement. The law also requires a copy of all abatement verification documents, required by Section 12-51-22 to be sent to HIOSH, also be posted at the location where the violation appeared and the corrective action took place.

Employer Discrimination Unlawful - The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 60 days after the discrimination occurred with the Hawaii Occupational Safety and Health Division at the address shown on the top of page 1 of this Citation and Notification of Penalty.

Employer Rights and Responsibilities - The enclosed booklet (Employer Rights and Responsibilities Following a HIOSH Inspection) outlines additional employer rights and responsibilities and should be read in conjunction with this notification.

Employees' Right to Contest - The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The signed original contest must be mailed to the Hawaii Occupational Safety and Health Division at the address shown on the top of page 1 of this Citation and Notification of Penalty and postmarked within 20 calendar days of the receipt by the employer of this Citation and Notification of Penalty.

Inspection Activity Data - You should be aware that OSHA publishes information on inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to your inspection will be available 30 calendar days after the Citation Issuance Date. You are encouraged to review the information concerning your establishment at WWW.OSHA.GOV. If you have any dispute with the accuracy of the information displayed, please contact this office.

ABATEMENT CERTIFICATION

Company Name: Aloha Stadium
Inspection Site: 99-500 Salt Lake Blvd, Aiea, HI 96701

Inspection Number: 1235352
Issuance Date: 07/05/2017

List the specific method of correction for each citation item and supporting documentation as appropriate in this **Citation and Notification of Penalty** that does not state "Corrected" and return to: **Department of Labor and Industrial Relations - Hawaii Occupational Safety and Health Division, 830 Punchbowl Street, Room 423, Honolulu, HI 96813.**

Citation _____ and Item _____ was corrected on _____
How corrected: _____

Citation _____ and Item _____ was corrected on _____
How corrected: _____

Citation _____ and Item _____ was corrected on _____
How corrected: _____

Citation _____ and Item _____ was corrected on _____
How corrected: _____

Citation _____ and Item _____ was corrected on _____
How corrected: _____

Citation _____ and Item _____ was corrected on _____
How corrected: _____

Citation _____ and Item _____ was corrected on _____
How corrected: _____

I attest that the information contained in this document is accurate and that the affected employees and their representative(s) have been informed of the abatement activities mentioned above and of their right to examine and copy this and all other abatement documents submitted to HIOSH.

Signature of the Employer or
Employer's Authorized Representative

Date

Typed or Printed Name

Title

Posting: For posting requirements please refer to Chapter 12-51, Hawaii Administrative Rules.

State of Hawaii

Department of Labor and Industrial Relations
Hawaii Occupational Safety and Health Division



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with the Hawaii Occupational Safety and Health Division (HIOSH) to discuss the Citation and Notification of Penalty issued on 07/05/2017.

The informal conference will be at the HIOSH office located at:

830 PUNCHBOWL STREET
ROOM 423
HONOLULU, HI 96813

on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

State of Hawaii

Department of Labor and Industrial Relations
Hawaii Occupational Safety and Health Division

Inspection Number: 1235352
Inspection Date(s): 05/16/2017-05/24/2017
Issuance Date: 07/05/2017



Citation and Notification of Penalty

Company Name: Aloha Stadium
Inspection Site: 99-500 Salt Lake Blvd, Aiea, HI 96701

Citation 1 Item 1 Type of Violation: **Serious**

1910.23(c)(1) [Refer to 12-60-50(a), HAR]: Every Open-sided floor or platform 4 feet or more above adjacent floor or ground level shall be guarded by a standard railing (or the equivalent as specified in paragraph (e)(3) of this section) on all open sides except where there is entrance to a ramp, stairway, or fixed ladder. The railing shall be provided with a toeboard wherever, beneath the open sides.

Lower level maintenance tunnel, Northeast - **The mezzanine that was above the maintenance supervisor`s office building had no railing on the open sides.**

Date by Which Violation Must Be Abated: **07/11/2017**
Penalty: **\$4,000.00**

Citation 1 Item 2 Type of Violation: **Serious**

29 CFR 1910.133(a)(3) [Refer to 12-60-50(a), HAR]: The employer shall ensure that each affected employee who wears prescription lenses while engaged in operations that involve eye hazards wears eye protection that incorporates the prescription in its design, or wears eye protection that can be worn over the prescription lenses without disturbing the proper position of the prescription lenses or the protective lenses.

Welding Shop - **The employer failed to require the wearing of appropriate personal protective equipment such as safety glasses when operating the JC Penney 6 inch Bench Grinder with a wire wheel.**

Date by Which Violation Must Be Abated: **07/11/2017**
Penalty: **\$4,000.00**

State of Hawaii

Department of Labor and Industrial Relations
Hawaii Occupational Safety and Health Division

Inspection Number: 1235352
Inspection Date(s): 05/16/2017-05/24/2017
Issuance Date: 07/05/2017



Citation and Notification of Penalty

Company Name: Aloha Stadium
Inspection Site: 99-500 Salt Lake Blvd, Aiea, HI 96701

Citation 1 Item 3 Type of Violation: **Serious**

29 CFR 1910.151(c) [Refer to 12-60-50(a), HAR]: Where the eyes or body of any person may be exposed to injurious corrosive materials, suitable facilities for quick drenching or flushing of the eyes and body shall be provided within the work area for immediate emergency use.

Mechanics Shop - The employer failed to ensure that a suitable facility for quick drenching or flushing of the eyes was provided in the maintenance shop. Employees handled batteries that contained a corrosive chemical, sulfuric acid on a daily basis. Without an emergency eye wash, exposure of this chemical can lead to permanent eye damage and/or serious chemical burns.

Date by Which Violation Must Be Abated: 07/31/2017
Penalty: \$5,000.00

Citation 1 Item 4 Type of Violation: **Serious**

29 CFR 1910.178(q)(5) [Refer to 12-60-50(a), HAR]: All parts of any such industrial truck requiring replacement shall be replaced only by parts equivalent as to safety with those used in the original design.

Northeast Bridge Storage Area - The employer installed a bypass starter switch on the Sellick Forklift, model S-80 that when pressed would start up the forklift engine. The part that was installed was not used in the original design of the forklift and affected the safe operation.

Date by Which Violation Must Be Abated: Corrected
Penalty: \$5,000.00

State of Hawaii

Department of Labor and Industrial Relations
Hawaii Occupational Safety and Health Division

Inspection Number: 1235352
Inspection Date(s): 05/16/2017-05/24/2017
Issuance Date: 07/05/2017



Citation and Notification of Penalty

Company Name: Aloha Stadium
Inspection Site: 99-500 Salt Lake Blvd, Aiea, HI 96701

Citation 1 Item 5 Type of Violation: **Serious**

29 CFR 1910.178(p)(1) [Refer to 12-60-50(a), HAR]: If at any time a powered industrial truck is found to be in need of repair, defective, or in any way unsafe, the truck shall be taken out of service until it has been restored to safe operating condition.

Northeast bridge storage area - A Sellick Forklift and a Caterpillar Forklift in need of repair due to the following defects were not taken out of service and being continuously used by employees.

- o Sellick Forklift seat badly in need of upholstery and not secured to the seat frame.
- o Caterpillar Forklift inoperable horn.

Date by Which Violation Must Be Abated: **07/31/2017**
Penalty: **\$4,000.00**

Citation 1 Item 6 Type of Violation: **Serious**

29 CFR 1910.212(b) [Refer to 12-60-50(a), HAR]: Machines designed for a fixed location shall be securely anchored to prevent walking or moving.

Welding shop - A Delta Drill Press, serial #R8815, cat number 17-900 was not secured to the floor, thus exposing employees to a potential struck by hazard.

Date by Which Violation Must Be Abated: **07/17/2017**
Penalty: **\$4,000.00**

State of Hawaii

Department of Labor and Industrial Relations
Hawaii Occupational Safety and Health Division

Inspection Number: 1235352
Inspection Date(s): 05/16/2017-05/24/2017
Issuance Date: 07/05/2017



Citation and Notification of Penalty

Company Name: Aloha Stadium
Inspection Site: 99-500 Salt Lake Blvd, Aiea, HI 96701

The alleged violations below (7a & 7b) have been grouped because they involve similar or related hazards that may increase the potential for illness and injury.

Citation 1 Item 7a Type of Violation: **Serious**

29 CFR 1910.213(c)(1) [Refer to 12-60-50(a), HAR]: Each circular hand-fed rip saw shall be guarded by a hood which shall completely enclose that portion of the saw above the table and that portion of the saw above the material being cut. The hood and mounting shall be arranged so that the hood will automatically adjust itself to the thickness of and remain in contact with the material being cut but it shall not offer any considerable resistance to insertion of material to saw or to passage of the material being sawed. The hood shall be made of adequate strength to resist blows and strains incidental to reasonable operation, adjusting, and handling, and shall be so designed as to protect the operator from flying splinters and broken saw teeth. It shall be made of material that is soft enough so that it will be unlikely to cause tooth breakage. The hood shall be so mounted as to insure that its operation will be positive, reliable, and in true alignment with the saw; and the mounting shall be adequate in strength to resist any reasonable side thrust or other force tending to throw it out of line.

Carpenter shop - The JET 10 inch ProShop Table Saw, model #JPS-10TS was not guarded by a hood and left the saw above the table exposed.

Date by Which Violation Must Be Abated:
Penalty:

Corrected
\$5,000.00

Citation 1 Item 7b Type of Violation: **Serious**

29 CFR 1910.213(d)(1) [Refer to 12-60-50(a), HAR]: Each circular crosscut table saw shall be guarded by a hood which shall meet all the requirements of paragraph (c)(1) of this section for hoods for circular rip saws.

Carpenter shop - The JET 10 inch ProShop Table Saw, model #JPS-10TS was not guarded by a hood and left the saw above the table exposed.

Date by Which Violation Must Be Abated:
Penalty:

Corrected
\$0.00

State of Hawaii

Department of Labor and Industrial Relations
Hawaii Occupational Safety and Health Division

Inspection Number: 1235352
Inspection Date(s): 05/16/2017-05/24/2017
Issuance Date: 07/05/2017



Citation and Notification of Penalty

Company Name: Aloha Stadium
Inspection Site: 99-500 Salt Lake Blvd, Aiea, HI 96701

Citation 1 Item 8 Type of Violation: **Serious**

29 CFR 1910.215(a)(1) [Refer to 12-60-50(a), HAR]: Abrasive wheels shall be used only on machines provided with safety guards.

Welding shop - A portable DeWalt 4 1/2 inch angle grinder, model DWE402 with no guard was operated by employees at the job site.

Date by Which Violation Must Be Abated:
Penalty:

Corrected
\$4,000.00

State of Hawaii

Department of Labor and Industrial Relations
Hawaii Occupational Safety and Health Division

Inspection Number: 1235352
Inspection Date(s): 05/16/2017-05/24/2017
Issuance Date: 07/05/2017



Citation and Notification of Penalty

Company Name: Aloha Stadium
Inspection Site: 99-500 Salt Lake Blvd, Aiea, HI 96701

The alleged violations below (9a & 9b) have been grouped because they involve similar or related hazards that may increase the potential for illness and injury.

Citation 1 Item 9a Type of Violation: **Serious**

29 CFR 1910.215(a)(4) [Refer to 12-60-50(a), HAR]: On offhand grinding machines, work rests shall be used to support the work. They shall be of rigid construction and designed to be adjustable to compensate for wheel wear. Work rests shall be kept adjusted closely to the wheel with a maximum opening of one-eighth inch to prevent the work from being jammed between the wheel and the rest, which may cause wheel breakage. The work rest shall be securely clamped after each adjustment. The adjustment shall not be made with the wheel in motion.

Welding shop - A JC Penney 6 inch bench grinder, model 4031, had its work rest 1 inch away from the grinding wheel exposing employees to potential serious injuries.

Date by Which Violation Must Be Abated: **07/11/2017**
Penalty: **\$4,000.00**

Citation 1 Item 9b Type of Violation: **Serious**

29 CFR 1910.215(b)(9) [Refer to 12-60-50(a), HAR]: Safety guards of the types described in Subparagraphs (3) and (4) of this paragraph, where the operator stands in front of the opening, shall be constructed so that the peripheral protecting member can be adjusted to the constantly decreasing diameter of the wheel. The maximum angular exposure above the horizontal plane of the wheel spindle as specified in paragraphs (b)(3) and (4) of this section shall never be exceeded, and the distance between the wheel periphery and the adjustable tongue or the end of the peripheral member at the top shall never exceed one-fourth inch.

Welding shop - A grey colored 7 inch bench grinder, model 357, serial number 36947, had its adjustable tongue guard 1 inch away from the grinding wheel exposing employees to potential serious injuries.

Date by Which Violation Must Be Abated: **07/11/2017**
Penalty: **\$0.00**

State of Hawaii

Department of Labor and Industrial Relations
Hawaii Occupational Safety and Health Division

Inspection Number: 1235352
Inspection Date(s): 05/16/2017-05/24/2017
Issuance Date: 07/05/2017



Citation and Notification of Penalty

Company Name: Aloha Stadium
Inspection Site: 99-500 Salt Lake Blvd, Aiea, HI 96701

Citation 1 Item 10 Type of Violation: **Serious**

29 CFR 1910.253(b)(2)(ii) [Refer to 12-60-50(a),HAR]: Inside of buildings, cylinders shall be stored in a well-protected, well-ventilated, dry location, at least 20 (6.1 m) feet from highly combustible materials such as oil or excelsior. Cylinders should be stored in definitely assigned places away from elevators, stairs, or gangways. Assigned storage spaces shall be located where cylinders will not be knocked over or damaged by passing or falling objects, or subject to tampering by unauthorized persons. Cylinders shall not be kept in unventilated enclosures such as lockers and cupboards.

Welding area - Three acetylene gas cylinders were placed in storage. One of the three cylinders standing up was not secured from being knocked over. Unsecured gas cylinders exposed employees to potential serious injuries.

Date by Which Violation Must Be Abated: **07/11/2017**
Penalty: **\$4,000.00**

Citation 1 Item 11 Type of Violation: **Serious**

29 CFR 1910.303(b)(2) [Refer to 12-60-50(a), HAR]: Listed or labeled equipment shall be installed and used in accordance with any instructions included in the listing or labeling.

Welding shop - A four plex outlet box was connected to a duplex outlet box and mounted to a plywood board.

Date by Which Violation Must Be Abated: **07/11/2017**
Penalty: **\$4,000.00**

State of Hawaii

Department of Labor and Industrial Relations
Hawaii Occupational Safety and Health Division

Inspection Number: 1235352
Inspection Date(s): 05/16/2017-05/24/2017
Issuance Date: 07/05/2017



Citation and Notification of Penalty

Company Name: Aloha Stadium
Inspection Site: 99-500 Salt Lake Blvd, Aiea, HI 96701

Citation 2 Item 1 Type of Violation: **Other-than-Serious**

1910.22(d)(1) [Refer to 12-60-50(a), HAR]: In every building or other structure, or part thereof, used for mercantile, business, industrial, or storage purposes, the loads approved by the building official shall be marked on plates of approved design which shall be supplied and securely affixed by the owner of the building, or his duly authorized agent, in a conspicuous place in each space to which they relate. Such plates shall not be removed or defaced but, if lost, removed, or defaced, shall be replaced by the owner or his agent.

Lower level maintenance tunnel, Northeast - **The mezzanine above the maintenance supervisor`s office building and the tool room had no load limit sign.**

Date by Which Violation Must Be Abated: **08/09/2017**
Penalty: **\$0.00**

Citation 2 Item 2 Type of Violation: **Other-than-Serious**

29 CFR 1910.303(f)(2) [Refer to 12-60-50(a), HAR]: Each service, feeder, and branch circuit, at its disconnecting means or overcurrent device, shall be legibly marked to indicate its purpose, unless located and arranged so the purpose is evident.

Welding shop - The circuit breaker switches were not individually identified.

Date by Which Violation Must Be Abated: **07/17/2017**
Penalty: **\$0.00**

State of Hawaii

Department of Labor and Industrial Relations
Hawaii Occupational Safety and Health Division

Inspection Number: 1235352
Inspection Date(s): 05/16/2017-05/24/2017
Issuance Date: 07/05/2017



Citation and Notification of Penalty

Company Name: Aloha Stadium
Inspection Site: 99-500 Salt Lake Blvd, Aiea, HI 96701

Citation 2 Item 3 Type of Violation: **Other-than-Serious**

29 CFR 1910.304(f)(1)(iv) [Refer to 12-60-50(a), HAR]: Overcurrent devices shall be readily accessible to each employee or authorized building management personnel. These overcurrent devices may not be located where they will be exposed to physical damage or in the vicinity of easily ignitable material.

Welding shop - The circuit breaker panel board was blocked by a table, chair, wooden boxes and a red colored cord reel. The entrance of sufficient area was not provided to give access to the working space around the circuit breaker panel board.

Date by Which Violation Must Be Abated: **07/11/2017**
Penalty: **\$0.00**

Citation 2 Item 4 Type of Violation: **Other-than-Serious**

29 CFR 1910.305(g)(2)(ii) [Refer to 12-60-50(a), HAR]: Flexible cords may be used only in continuous lengths without splice or tap. Hard-service cord and junior hard-service cord No. 14 and larger may be repaired if spliced so that the splice retains the insulation, outer sheath properties, and usage characteristics of the cord being spliced.

Welding shop - A Delta Drill Press, serial #R8815, cat number 17-900 was spliced together with three twist on wire connectors and electrical tape.

Date by Which Violation Must Be Abated: **07/11/2017**
Penalty: **\$0.00**

Allen Miho, Manager
Occupational Safety Branch

State of Hawaii

Department of Labor and Industrial Relations
HAWAII OCCUPATIONAL SAFETY AND HEALTH DIVISION
830 PUNCHBOWL STREET, ROOM 423
HONOLULU, HI 96813
Phone: (808) 586-9110 Fax: (808) 586-9104



SUMMARY OF PENALTIES

Company Name: Aloha Stadium
Inspection Site: 99-500 Salt Lake Blvd, Aiea, HI 96701
Issuance Date: 07/05/2017

Summary of Penalties for Inspection Number: 1235352

Citation 1 Item 1, Serious	\$ 4,000.00
Citation 1 Item 2, Serious	4,000.00
Citation 1 Item 3, Serious	5,000.00
Citation 1 Item 4, Serious	5,000.00
Citation 1 Item 5, Serious	4,000.00
Citation 1 Item 6, Serious	4,000.00
Citation 1 Item 7a, Serious	5,000.00
Citation 1 Item 7b, Serious	0.00
Citation 1 Item 8, Serious	4,000.00
Citation 1 Item 9a, Serious	4,000.00
Citation 1 Item 9b, Serious	0.00
Citation 1 Item 10, Serious	4,000.00
Citation 1 Item 11, Serious	4,000.00
Citation 2 Item 1, Other-than-Serious	0.00
Citation 2 Item 2, Other-than-Serious	0.00
Citation 2 Item 3, Other-than-Serious	0.00
Citation 2 Item 4, Other-than-Serious	0.00

TOTAL PENALTIES: **\$47,000.00**

Make check or money order payable to the "**Director of Budget and Finance.**" Please indicate the *inspection number and dba, if company name is different, on the remittance.* A fee of \$25.00 will be charged for any returned checks.